APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,071	07/30/2003	Terry M. Martin	200208611-1	9436

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HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER
IBRAHIM, MOHAMED

ART UNIT	PAPER NUMBER
2144	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/630,071	MARTIN ET AL.
	Examiner	Art Unit	
	Mohamed Ibrahim	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _20 June 2007_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-6, 8-9, 11, 13-17, 21-25, 28, 32 and 36_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-6, 8-9, 11, 13-17, 21-25, 28, 32 and 36_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Response to Amendment

This communication is in response to the amendment filled on June 12, 2007.

Claims 1, 9, 13 17, 21-25, 28, 32 and 36 have been amended.

Claims 7, 10, 12, 18, 26-27,29-31, and 33-35 have been canceled.

Claims 1-6, 8-9, 11, 13-17, 21-25, 28, 32 and 36 are pending.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-6, 8-9, 11, 13-17, 21-25, 28, 32 and 36 are rejected under 35

U.S.C. 102(e) as being anticipated by Karakashian et al. (Karakashian), U.S.

Application Publication No. 2004/0064503 A1.

Regarding claim 1, Karakashian discloses a method for collecting data regarding a

messaging session (see e.g. Fig. 1, Fig. 3, and paragraph [0033], intercepting message

session), the method comprising:

intercepting an incoming message sent to a first network service (see e.g. paragraph

[0032]); writing session information relevant to the incoming message to a thread-local variable (see e.g. paragraphs [0033] and [0038]; The web service invoke requests is saved in the container driver); and providing the incoming message to the first network service (see e.g. paragraph [0081]); sending an outgoing message from the network service to a second network service or a client (see e.g. the disclosure of claim 1 wherein the message context is modified and sent the web services destination); intercepting the outgoing message sent by the first network service (see e.g. fig. 3 and paragraph [0040]; interceptors for both inbound and outbound messages); performing a thread-local variable lookup so as to retrieve the session information written to the thread-local variable (see e.g. paragraph [0038] and [0107]); instrumenting the outgoing message with the session information (see e.g. paragraphs [0026], [0033] and [0047]); and providing the instrumented outgoing message to the second network service or client (see e.g. paragraph [0081] and claim 1; passing the instrumented message to the web service destination).

Regarding claim 2, Karakashian discloses wherein intercepting an incoming message comprises intercepting an extensible markup language (XML) message wrapped in a simple object access protocol (SOAP) envelope (see e.g. Fig. 1 and paragraph [0041]).

Regarding claim 3, Karakashian discloses wherein intercepting an incoming message comprises intercepting a service request (see e.g. paragraph [0034]).

Regarding claim 4, Karakashian discloses wherein intercepting an incoming message

comprises intercepting a service response (see e.g. paragraph [0034]).

Regarding claim 5, Karakashian discloses wherein writing session information to a

thread-local variable comprises writing at least a session identification to the thread-

local variable (see e.g. paragraph [0038]).

Regarding claim 6, Karakashian discloses wherein writing session information to a

thread-local variable comprises writing at least one of a session identification, a source

name of the sender of the message, a message type, a destination name of the

intended recipient, and a message received time (see e.g. paragraphs [0038] and

[0044]).

Regarding claim 8, Karakashian discloses wherein writing session information to a

thread-local variable comprises writing session information to a thread- local variable

using a simple object access protocol (SOAP) message handler (see e.g. paragraph

[0038] and [0146]-[0147]).

Regarding claim 9, Karakashian discloses further comprising storing session data

regarding the incoming message in a database (see e.g. paragraph [0038]).

Regarding claim 11, Karakashian discloses further comprising storing session data

regarding the outgoing message to a database (see e.g. paragraph [0038]).

Claim 13 list all the same sub-elements of claim 1, but in system form rather than method form. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 13.

Regarding claim 14, the limitation of this claim has already been addressed (see claim 5 above).

Regarding claim 15-16, the limitations of these claims have already been addressed (see claim 8).

Regarding claim17, the limitation of this claim has already been addressed (see claim 9 above).

Regarding claim 19, the limitation of this claim has already been addressed (see e.g. claim 11 above).

Claim 21 list all the same sub-elements of claim 1, but in computer readable medium form rather than method form. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 21.

Regarding claim 22, the limitation of this claim has already been addressed (see claim 5 above).

Regarding claim 23-24, the limitations of these claims have already been addressed (see claim 8 above).

Regarding claim 25, the limitations of this claim have already been addressed (see claims 9 and 11, above).

Claim 28 list all the same elements of claim 1, but in system form rather than method form. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 28.

Regarding claim 32, Karakashian discloses a physical computer-readable medium that stores a message handler (see e.g. paragraph [0151]) comprising:
logic configured to intercept an outgoing message directed at a system network service (see e.g. paragraph [0032]);
logic configured to store information at least concerning the send time of the outgoing message in a database logic configured to perform a thread-local variable lookup to receive session information pertinent to the outgoing message (see e.g. paragraph [0038]); logic configured to instrument the outgoing message with session information

(see e.g. paragraphs [0026], [0033] and [0047]); and logic configured to forward the

outgoing message from the network service (see e.g. paragraph [0081] and claim 1;

passing the instrumented message to the web service destination).

Claim 36 list all the same elements of claim 32, but in apparatus form rather than

computer readable medium form. Therefore, the supporting rationale of the rejection to

claim 32 applies equally as well to claim 36.

Response to Arguments

3.   Applicant's arguments with respect to claim 1-6, 8-9, 11, 13-17, 21-25, 28, 32

and 36 have been considered but are moot in view of the new ground(s) of rejection.

Applicant employs broad language, which includes the use of word, and phrases,

which have broad meanings in the art. In addition, Applicant has not argued any

narrower interpretation of the claim language, nor amended the claims significantly

enough to construe a narrower meaning to the limitations. As the claims breadth allows

multiple interpretations and meanings, which are broader than Applicant's disclosure,

the Examiner is forced to interpret the claim limitations as broadly and as reasonably

possible, in determining patentability of the disclosed invention. Although the claims are

interpreted in light of the specification, limitations from the specification are not read into

the claims. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir.1993).

Failure for Applicant to significantly narrow definition/scope of the claims and

supply arguments commensurate in scope with the claims implies the Applicant intends

broad interpretation be given to the claims. The Examiner has interpreted the claims

with scope parallel to the Applicant in the response, and reiterates the need for the

Applicant to more clearly and distinctly defines the claimed invention.

Prior Art of Record

4.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Please refer to form PTO-892 (Notice of Reference Cited) for a

list of relevant prior art.

Conclusion

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohamed Ibrahim whose telephone number is 571-270-1132. The examiner can normally be reached on Monday through Friday from 7:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn, Jr. can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MI/ /MI/

WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100